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Attorney Docket No. 2002B141/2

REMARKS**35 USC 102(b) Rejection**

Claims 1-29 and 31-35 were rejected as allegedly anticipated by WO 00/01766 ("Datta"). The Office Action specifies that Datta discloses propylene sequences in the SPC2 having the claimed heat of fusion range, but not characterized as a compatibilizer. Applicants respectfully traverse because the reference does not disclose the second modifier component of the invention.

All claims of the present application require a hetero or two phase polymeric composition of:

- (i) a polypropylene component or an ICP;
- (ii) a modifier component of ethylene alpha-olefin polymer (claims 1, 31, and 32) or propylene crystallinity-free polymer (claim 14); and
- (iii) a compatibilizer component with cocrystallizable propylene sequences or defined propylene crystallinity.

The propylene polymers of (i) are familiar from the cited reference and background references. Compatibilizer components similar to those of (iii) are disclosed in Datta. However, the cited reference does not disclose a hetero phase polymeric composition having all three components; i.e., Datta does not disclose the modifier component of either ethylene alpha-olefin polymer or propylene crystallinity-free polymer.

The specification of this application clearly discloses that the modifier component either has no propylene crystallinity or is an ethylene alpha-olefin polymer, not a *propylene* alpha-olefin polymer. See the specification in the summary and original claims as well as the specific disclosure of the modifier component at paragraphs [0021] et seq. Only ethylene alpha-olefin polymers are taught. The advantages of the inventive composition are detailed in the subsequent paragraphs and the examples, and include lower flexural modulus with improved toughness and processability for molding. See paragraph [0028], wherein the minority alpha-olefin is disclosed. Claims 1 and 31 clearly require an ethylene alpha-olefin,

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not a propylene alpha-olefin copolymer as described by the reference. Of course, this polymer may be both an ethylene alpha-olefin and a no propylene crystallinity polymer. See also the examples with ethylene-hexene polymers, paragraph [0081].

In contrast, Datta discloses, in reference to the SPC and SPC2, only predominantly propylene polymers, having some propylene crystallinity (see page 15, line 2). See also page 16 at (D), wherein the SPC and SPC2 are disclosed to have crystallizable propylene sequences. Further, in the examples of Datta, the polymers have only about 14% ethylene content (page 35, line 21 and page 36, line 26). This is the converse of the present invention as given at paragraph [0028], which describes an ethylene alpha-olefin polymer with less than 30 mole percent alpha-olefin (non-ethylene).

As stated above, the three-component polymer composition of the invention is not disclosed, taught, or suggested by the cited art. Accordingly, Applicants respectfully submit that the pending claims are not anticipated by Datta under § 102(b) and request reconsideration and allowance of all presently pending claims.

Applicants respectfully solicit a notice of allowance. Applicants invite the Examiner to telephone the undersigned attorney if there are any issues outstanding which have not been presented to the Examiner's satisfaction.

Respectfully submitted,

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Date



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